

Arizona State News.

PHOENIX.

Free With Gun.

Resenting the accusation of Night Captain of Police George Bischois that he was intoxicated, Charles Gomez, a Mexican, who says he arrived in this city three days ago, drew an automatic revolver from his belt and either intentionally or accidentally discharged the weapon in the general direction of the officer, shortly after 10 o'clock last evening. The encounter took place on Washington street at the north-west corner of the city hall plaza, and while the man is booked at the police station on a charge of carrying concealed weapons it is practically certain that but for the energy Bischois displayed in subduing the man subsequent to the gun being brought into play, he would either have been killed or dangerously wounded.

Pony and Burro Races.

With larger and more attractive prizes offered, the number of events increased and every arrangement being perfected for the comfort and pleasure of the young participants, the juvenile pony and burro races to be held each day, except Thursday, of Fair week, promise to be more interesting and exciting than heretofore. Charles K. Pishon, as in other years, will have full charge of these races, looking after the entries, arranging the purses and being at the starting line each day.

Crackman Confesses.

Three hundred dollars of the money stolen when James Kennedy burglarized the saloon of Ed Olsen, dumped the safe into the basement and blew it open, has been recovered and the officers think that they know where the rest of the \$558, gold watch and other property stolen at the same time is, though there is little hope of the recovery of it.

Constable Murphy returned yesterday morning with Kennedy whom he secretly took to Tucson a few days ago. Kennedy whose confidence the officer seemed to have gained said that he would tell him where the property had been cached with a Chinaman. Though Kennedy is an accomplished crackman he is not bright and he seems to have believed that the officer was his attorney.

Convicts for Prescott.

Twenty-one convicts left Saturday morning for Prescott in a special car to serve various terms in the county jail there, all of them having pleaded guilty to selling liquor to Indians under the care of an Indian agent. Fifty-one altogether were sentenced Friday. Four old offenders who have hitherto escaped with jail sentences were sentenced each to a year and a day in the federal prison at Atlanta, Ga. They will be held here until the criminal business of the term is disposed of, in the expectation that they will have plenty of company on their eastward journey.

TUCSON.

Extend Line.

Tucsonians will be able to talk to Winslow as soon as the Mountain States company, which has bought out the Overland Telephone company, finishes stringing a copper

metallic circuit from Ask Fork to Cedar Glade. A gang of men is now being organized to do this work.

Workman Loses Legs.

An unknown workman lost both legs in a collision of engines at Osborne Junction on the El Paso and Southwestern Wednesday. A switch engine ran into the engine of a work train on the siding.

Narrow Escape.

G. L. Garlat, clerk in assistant superintendent Kruttschnitt's office of the Southern Pacific, narrowly escaped death in a caboose which was crushed between three ore cars and 16 cattle cars at Calabasas Thursday afternoon. Both ends of the caboose were crushed in.

An Act of Courtesy.

At a meeting of the board of regents of the university, Thursday morning, it was decided that a delegate should be sent to the University of New Mexico, at Albuquerque, to be present when Professor Boyd was made president of that institution. An invitation was received by the University of Arizona a short time ago and Thursday it was confirmed by the board. The delegate has not been chosen as yet. Many other things were taken up by the board. Among these was the choosing of a new business agent for the university.

BISBEE.

Rats Doing Damage.

"What do you think about rats?" is not an idle question among the business men of the city but a serious question and one the answer of which is worrying the business men of Main street. In the last week the business men of that section of the city say the scads of rats have appeared from somewhere and are damaging their stocks of merchandise.

The theory is that the rats have come up out of the mines, but no one has explained why they should have deserted their underground haunts. The troubling fact is that the rats are there by the hundreds and it is a problem with the merchants what to do about it. In a year a single rat can do a hundred dollars worth of damage and it is no light matter with the merchants. No complaint has as yet come from the merchants of Brewery gulch and Naco road, where the majority of the saloons of the city are located.

Horse Thieves Confess.

Charles Kling and A. Pyburn, the two men detained by troopers of the Ninth Cavalry near Hunt's ranch Wednesday morning and subsequently taken to Douglas and turned over to county authorities, have confessed to stealing four horses and two saddles. The confessions were made at Douglas yesterday in the presence of County Attorney W. G. Gilmore and Sheriff Harry Wheeler.

DOUGLAS.

Road Being Neglected.

That the county road from this city to Bisbee, which cost the taxpayers nearly \$750,000, is fast going to ruin, by neglect, is plainly evident to any one making a trip over the road in an auto.

The road superintendent is now repairing and filling in the approaches to the bridges that were recently washed out by the heavy rains and will complete the work in a few days. Three of the bridges are now complete and the fourth was filled in yesterday. This morning work was commenced on the largest one which is located about three miles west of Forest.

The approaches on both ends of this bridge are gone for over five feet from each end. Several stretches of the road are also in very bad shape by flood water taking the top off making them almost impassable in an auto.

Deperate Negro Captured.

John Henry Taylor, a negro youth not yet out of his teens but who has succeeded in establishing a reputation for daring criminality for himself, was captured here yesterday morning by Special Officer W. S. Kirby who took him in custody as he was leaving a freight train. The negro is wanted in San Antonio, Texas, for burglary.

Reports from Congress yesterday were to the effect that the United Gold Mines had resumed, and that a large tonnage of ore was ready for milling, the plant to begin dropping stamps today. Twenty-five miners were placed at work, and underground conditions were reported as better than at any time in many months, which insures permanent operations in the future.

Mining location notices for sale at the Journal-Miner office.

City News

In Brief

(From Saturday's Daily)

Business Visitor.

James G. Cotter, a merchant of Springville, Apache County, is in the city on business.

Returns From Coast.

John Massing returned yesterday from a business trip to Los Angeles for the past month.

Returns From Capital.

Mrs. H. E. Shaw returned yesterday from Phoenix, after several days of a pleasure visit with friends.

Recreation Trip.

Kenneth R. Kent left Thursday for San Francisco on a trip of recreation for a few weeks and to visit with friends.

Pioneer Visitor.

John Graver, the pioneer resident, was in the city yesterday from Walnut Creek, where he is engaged in farming and stockraising.

Mining Visitor.

L. P. H. Giroux, operating the old Peck and other mines under a lease, is in the city on business for a few days, arriving from Mayer.

Returns From Camp.

Mrs. May Brow returned yesterday from the Mildred mines near Stanton, where she was the guest for several days of Mrs. D. B. Genung.

Visiting Miner.

Alex Nyberg is in the city from Walker mining district, where he reports the usual activity prevailing, with leasing as the principal method of mine work.

After Big Game.

F. W. Foster and W. G. Shook left yesterday for Burro creek, in the western part of the county, on a hunting trip after big game for the next two weeks.

Visiting Friends.

Mr. and Mrs. Neil Bailey, of Jerome Junction are in the city and are at the home of Mr. and Mrs. E. S. Clark, the latter to remain for several days visiting with friends.

Services for the Dead.

Services over the remains of the late Joseph Mackin were conducted in Ruffner's chapel yesterday afternoon by Rev. Father Mandin of the Catholic church, many friends being in attendance. The body will be shipped later to Bristol, Wisconsin, the former home of Mrs. Mackin, where interment will take place.

Brief Visitor.

Paul Burks, of the legal department of the Santa Fe system, was a brief visitor to the city yesterday from Los Angeles, returning to the coast later in the day. He returns later for an extended sojourn.

Serious Condition.

Mr. and Mrs. J. M. Garrett, of Mayer, left Thursday for Phoenix, where the former goes for a change of climate, owing to ill health. He is in a serious condition from Bright's disease and his recovery is regarded as hopeless.

Looking After Interests.

Charles Bowers, a native born of this city, and the eldest son of Edward Bowers, a former sheriff of this county, returned to Mesa yesterday after a trip of inspection to his mining interests near Jerome Junction. He contemplates resuming development after the first of the year, and in the meantime will start annual assessment work. In past years he has performed considerable development, and is sanguine over the future.

(From Sunday's Daily.)

Business Trip.

Mrs. Anna Henry leaves today for Jerome to be absent for the week on business matters.

Buying Cattle.

R. W. Ainsworth, of Goodwin, has gone to the Camp Wood country on a cattle buying trip for a few days.

From the Mines.

J. H. Tribby, operating the old Conger miner in Cherry Creek district, was in the city yesterday on business.

Valley Visitor.

Mrs. A. A. Vannay was a brief visitor to the city yesterday from Skull Valley, returning home later in the day.

Smelter City Visitors.

Mr. and Mrs. J. E. Bark are in the city from Humboldt and at the St. Michael for a few days visiting with friends.

From the Grade.

Julius Pothast, section foreman of the S. F. P. & P. railroad, was in the city yesterday from Cedar Glade on business.

Verde Visitor.

Fred Atkinson arrived from Camp Verde yesterday to meet his wife who returned from New Mexico, and both leave today for home.

Flying Trip.

Congressman Carl Hayden, and Wiley E. Jones, were in the city yesterday on a flying political mission, returning south later in the day.

Business Trip.

J. P. Dillon, chief clerk of the supreme court, arrived from Phoenix yesterday to look after his mining and other interests for a few days.

Leaves for New Home.

Mrs. A. T. Toner left yesterday for Flagstaff, where she will reside in the future, joining her husband, who is with the Babbitt Bros. mercantile house.

Concludes Visit.

Mrs. W. H. Lawless returned yesterday from Dallas, Texas, where she had been visiting with relatives and leaves tomorrow for Crown King, her home.

Visiting Teacher.

Prof. J. H. Franks, favorably known as a public school teacher, was in the city yesterday on business from Poland, where he is in charge of the school.

From the Mines.

Mr. and Mrs. J. K. Farrell, the former superintendent of the Arizona Bonanza mines, near Humboldt, were in the city yesterday on a business and pleasure trip.

Miner Returns.

T. C. Collins, formerly a miner of this section, arrived from the northern part of the state yesterday, having recently visited his old home, Asheville, North Carolina.

Visiting Friends.

Miss Nellie Lyons, of Glendale, is in the city for a few days visiting with friends, and is at the Prescott Hotel. She is en route to Kansas City, where relatives reside.

On Business.

Harry Minuse, the well known pioneer resident of Dewey, was in the city yesterday on land business of an official nature. He reports the crop yield as a bigger one than in many years.

Business Trip.

Mr. and Mrs. J. S. Sessions, the former a well known mining operator of Cherry Creek district, are in the city for a few days on a business and pleasure trip and are at the Prescott hotel.

Return from Mines.

The many friends in the city of Mr. and Mrs. M. E. Spaulding will be interested to learn that they returned yesterday from the Climax mining camp on the Hassayampa after a six weeks' sojourn. Mr. Spaulding is the secretary of the company.

FROM BIG ORCHARD.

P. B. Dreisher, foreman of the fruit picking crew of Maus & Stewart at Fair Oaks, was in the city yesterday on business, and states that 1,000 boxes of apples have been packed to date and are ready for delivery at Skull Valley. Twenty pickers and three packers are employed and it is estimated that the yield will reach 15,000 boxes, the largest ever known.

MINING VISITORS.

R. B. Staniland and George McGarvey, principal stockholders of the Yavapai Metals Mining Company, arrived from their camp near Humboldt yesterday, and stated that the closing up of negotiations for the property to be acquired by a new organization, are being perfected. They expected to retire in a few weeks. Both state the property is in fine condition from recent development and are sanguine over the future.

PRISONERS TRANSFERRED.

Chief Deputy U. S. Marshal B. Anderson brought to the county jail yesterday from Phoenix twenty-one federal prisoners under sentence of ninety days each for selling whiskey to Indians. Forty-two were taken to Tucson from Phoenix, and other places also received their quota. Special Deputies Luke Short, Ben DeCrouer and D. Gerishon accompanied Deputy Anderson.

WILL REFEREE FIGHT.

Deputy Sheriff F. F. Bartlett, of Ash Fork, was in the city yesterday, on official business, and stated that he will probably referee the big McMahon-Mitchell fight to be pulled off in this city at a later date. Deputy Bartlett was formerly a professional fighter on the coast in the heavyweight class, and his selection will meet with the approval of all.

(From Tuesday's Daily.)

Jerome Visitors.

Dr. L. A. Hawkins and W. C. Miller were among the visitors to the city yesterday from Jerome.

Mining Visitor.

George H. Freyda, of Poland, was in the city yesterday on business pertaining to his mining interests near that camp.

Attending Federal Court.

H. D. Aitken and M. L. Buckley were called to Phoenix Sunday to

DECISION SETS MINING PRECEDENT

Supreme Court Decides the Famous Case of Fred Peachy Against O. D. M. Gaddis—Clark Wins Victory.

(From Tuesday's Daily)

Of unusual interest to mining men in Arizona as well as throughout the west, is the case of Fred S. Peachy vs. O. D. M. Gaddis, both of Mohave county, which was recently decided by the Supreme Court of Arizona.

Aside from the fact that the controversy involved the major part of the very valuable group of claims near Union Pass, Mohave county, now owned by the Frisco Mines and Power Company, the law suit was unique. The group of claims involved is locally known as the "Tragedy Group" and had been owned and worked by Mr. Gaddis, of Kingman, and others, for seven or eight years, prior to the advent of Peachy into the case.

During the year 1907, the owners did no assessment work on any of the claims, but on January 1, 1908, relocated them in their own names, fully performing the assessment work within ninety days. Early in 1909 the owners bonded the claims to a syndicate since merged into the Frisco Mines and Power Company. These men performed extensive development, constructed a large mill, and had expended about \$100,000 on the property, and were practically ready to begin operations on a large scale when Mr. Peachy appeared on the scene in September, 1910, and proceeded to locate three claims in the very heart of the Tragedy group. He followed this up in December, 1910, by initiating in Mohave county the lawsuit which has just been disposed of by the supreme court.

Mr. Peach contended that it was a fraud on the government for Gaddis and his associates to neglect to do their assessment work for 1907, while intending to relocate in 1908.

serve as trial jurors in the present term of federal court.

Business Trip.

D. B. Genung was in the city yesterday from the Mildred mines at Stanton, on business matters, returning to the camp later in the day.

Mismatched Couples.

In the superior court yesterday two divorce cases were docketed the aggrieved parties being Lulu Hull vs. Redford Hull, and Nettie Beese vs. Charles Beese.

Home From Coast.

The many friends in the city of Mrs. Gorham A. Bray will be pleased to learn that she returned from the coast yesterday after an extended visit, and will remain.

On the Road.

Joe Sines, the commercial traveler, is in the city combining business with a visit to his parents and many friends at the old home. He represents a San Francisco hardware firm.

Return Home.

Dr. and Mrs. R. N. Looney returned yesterday from Washington, D. C., and Chattanooga, Tennessee. The latter city is his birthplace, and where his mother and other relatives reside.

Entertaining Sister.

Mrs. George Tisdale is entertaining her sister, Mrs. Anna Craver, of Kansas City, who arrived yesterday and will remain for several days. She is en route to Pasadena, for the winter.

Outside Visitor.

William Allen, the lumber king of Groom Creek, was in the city yesterday on business, and reports the new saw mill as turning out an abundance of building material, and the demand steadily growing.

Starts Shipping.

H. C. Cavness, of the Burnt Ranch Cattle Company, left for Ash Fork yesterday to begin shipping range steers today to the east. He returns to Del Rio and will load several cars at that point.

File on Land.

Before U. S. Commissioner Moore yesterday Frank Trigg, of Dewey, filed on 40 acres of land in the Agua Fria valley, as a homestead, while S. W. Holder took up 160 acres in Kirkland Valley for the same purposes.

Leaves the Country.

Sam. J. Miller left yesterday for

That thereby the relocations were made only for the purpose of avoiding assessment work, and were not, therefore, in good faith. That the notices of relocation contained a declaration that the claims were relocated as "abandoned property," and therefore, they could only be lawfully relocated by parties other than the original holders. This sounded ingenious, but the courts did not take these contentions seriously. Without saying so the court evidently found it hard to understand why a man who had owned a mining claim for years and expended much money and work upon it, should have any less right to relocate it than one who had never had anything to do with it.

But the main point, of course, was that the claims had never been abandoned so as to become subject to relocation at all, or at least if they had been abandoned, the abandonment was cured, with all rights in the claims restored by a resumption of work on a large scale before the adverse locations of Peachy were made. The decision, therefore, was against Peachy and in favor of Gaddis and his colleagues.

As a case of jumping, pure and simple, this suit was one of unparalleled audacity, and it was denounced by the press as well as the community in Kingman where the facts were well known. It is a matter of congratulation that the courts of Arizona have set the seal of their disapproval upon such proceedings, otherwise the development of mining property in Arizona through the enlistment of outside capital would have soon become exceedingly difficult if not impossible. E. S. Clark of this city was attorney for the defendant.

Dutch Flat, California, where he will be associated with a mining company in a mechanical capacity, and make that place his future home. He is a native born, and the son of the late Mr. and Mrs. S. C. Miller.

Leaves for South.

Otto Lind, Sr., head of the leasers of the Crosby mines, left for Phoenix on Sunday afternoon on a business trip for a few days. He gives the usual good report of the tonnage taken out and the high grade of the ore. An accident to his hand compels him to desist from mining work for a short time.

Visited Mines.

J. H. Gooch, one of the principal stockholders of the Copper Queen Gold Mining Company, of Stoddard, returned to the city Sunday after an inspection of several days, and is en route to his home in Paris, Texas. His observations were satisfactory, and he returns later for a more extended sojourn.

SALE ATTRACTS MANY TO THE DISTRICT.

(From Sunday's Daily.)

Returning Friday from a two days' trip to his Billy Boy mines on the Hassayampa, and to other properties in that district, Ed. Block stated yesterday there was noticeable every indication of a new era prevailing in the number of claims being worked and the inflow of miners and prospectors to secure locations.

This changed condition from a few months ago is attributed to the sale of the McNulty-Birch group of copper mines to George Mitchell, which signalizes big operations for the future, and the recognition of that belt by this experienced mining engineer as of attractive possibilities.

Another straw which indicates the way the wind is blowing in that section is the probable resumption of a big scale of the Climax gold mines, it being reported that in a few months at the farthest this property would begin operations on a large scale and on a permanent basis. Mr. Block states that the interest at present manifested can be shown by every foot of ground being located along Board, Little and Big Copper Creeks, aggregating hundreds of acres. Where surface indications are favorable, prospect holes are going down and the country is on the eve of a new era.

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CANDY CO.
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and
CANDY
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